

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

ALBERT G. GAULDIN,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

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Case No. 4:07CV00025

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**ORDER**

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By: Jackson L. Kiser

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Senior United States District Judge

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Before me is the *Report and Recommendation* of United States Magistrate Judge B. Waugh Crigler. The Magistrate Judge recommends granting the Defendant's *Motion for Summary Judgment*. I have reviewed the Magistrate Judge's recommendation, as well as the Plaintiff's *Objections*, and Defendant's response to those objections. This matter is now ripe for decision.

For the reasons stated in the accompanying memorandum, I will **ADOPT** the Magistrate Judge's *Report and Recommendation* and **OVERRULE** the Plaintiff's *Objections*. I will **GRANT** the Defendant's *Motion for Summary Judgment* and **DENY** Plaintiff's *Motion for Summary Judgment*.

The Clerk is directed to send a certified copy of this *Order* and the accompanying *Memorandum Opinion* to all counsel of record.

Entered this 17<sup>th</sup> day of March, 2008.

s/Jackson L. Kiser

Senior United States District Judge